

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00124

Dwight Scott,
Plaintiff,

v.

Gregg County Jail et al.,
Defendants.

ORDER

Plaintiff Dwight Scott, proceeding pro se, filed this lawsuit complaining of alleged deprivations of his constitutional rights during his confinement in the Gregg County Jail. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell. Doc. 2.

Plaintiff complained of the conditions of confinement in the jail, including allegations of inadequate sunlight, malfunctioning toilets, and failure by jail officials to follow the grievance procedure. Doc. 8. Defendants Sheriff Cerliano and Captain Callaway filed a motion to dismiss (Doc. 67), to which plaintiff did not respond.

After review of the pleadings and defendants' motion to dismiss, the magistrate judge issued a report recommending that the motion to dismiss be granted and the lawsuit be dismissed with prejudice. Doc. 68. Plaintiff received a copy of this report on or before January 30, 2024, but has filed no objections. Doc. 69.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The lawsuit is dismissed with prejudice for failure to state a claim upon which relief may be granted.

So ordered by the court on May 17, 2024.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge